

INITIAL POLREP

U.S. Environmental Protection Agency
Region 4

Date: August 18, 2003

Subject: Kellum Properties Oil Spill

From: Robert N. Rosen, Telephone Duty OSC

To: S. Hitchcock, EPA Region 4
D. Rigger, EPA Region 4
T. Moore, EPA Region 4
D. Thornton, EPA-HQ
C. Fitzsimmons, EPA Region 4 - Raleigh, NC

I. Background

Site ID#: Z4FN
FPN#: E03417
Incident Report#: 654135
Project Ceiling: \$15,000
Lead Agency: EPA Region 4 - ERRB
NPL: Not on NPL
Funding: OPA
Lead OSC: Charlie Fitzsimmons

II. Situation

Date of Notification: 08-16-03
Date Action Started: 08-16-03
Date Action Ended:
Pollutant: waste oil
Quantity Discharged: est. 200 gallons
Substantial Threat: medium
Surface Water: unnamed tributary to Dutch Creek
Source Identification: oil-filled containers at construction site

III. Actions Taken

On August 16, heavy rains caused flooding of the creek near a construction site in Rockwell, Rowan County, North Carolina. The resulting flood waters overturned several miscellaneous containers of what was initially reported as waste oil and the material entered the unnamed creek. The PRP, Cape Construction, also of Rowan, was unable to mount an adequate response in a timely manner so the OSC contracted with a local cleanup company to undertake the cleanup. An FPN was obtained (E03417) and a

Procurement Request prepared for the contractor, Contaminant Control, of Fayetteville, NC.

IV. Future Actions

EPA will continue to conduct the cleanup operation until the removal has been completed or the PRP steps in.

V. Cost To Date

Unknown at this time.

POLREP #2
U.S. Environmental Protection Agency
Region 4

Date: August 21, 2003

Subject: Kellum Properties Oil Spill

From: Charles E. Fitzsimmons, FOSC
4930 Old Page Rd.
RTP, NC 27709

To: S. Hitchcock, EPA Region 4
D. Rigger, EPA Region 4
T. Moore, EPA Region 4
D. Thornton, EPA-HQ
NC distribution

I. Background

Site ID#: Z4FN
FPN#: E03417
Incident Report#: 654135
Project Ceiling: \$15,000
Lead Agency: EPA Region 4 - ERRB
NPL: N
Funding: OPA
Lead OSC: Charles E. Fitzsimmons

II. Situation

Date of Notification: 08-16-03
Date Action Started: 08-16-03
Date Action Ended:
Pollutant: waste oil
Quantity Discharged: est. <100 gallons
Substantial Threat: minor
Surface Water: unnamed tributary to Dutch Creek
Source Identification: waste oil

III. Actions Taken

OSC requested the assistance of the State of NC Department of Environment and Natural Resources, Division of Water Quality (DWQ), Mooresville Regional Office to be an OSC representative on site the evening of August 16, 2003. DWQ is located approx 10 miles from the site and as a result would be able to provide a timely response and could assist with surface water impact assessment due to the size (minor) of this release. FOSC

is 3.5 to 4 hours away. DWQ rep (John Lesley) reported back to the OSC that the waste oil was in fact impacting a nearby drainage ditch and could reach a surface water creek if not responded to in a timely manner.

OSC initiated response activities by contacting a local cleanup contractor, Contaminant Control Inc. (CCI), Concord, NC. A Notice to Proceed (NTP) was then issued to the contractor on 8/16/03 at approx. 1600hrs. for response to and mitigation of the release. CCI responded in a timely fashion.

On August 17, 2003 the OSC responded to the site and met with the property owner as well as the Rowan County Fire Marshall who had initially made the request for assistance. According to the Fire Marshall, CCI worked diligently for 9 hours. Eight drums of contaminated soil and oil soaked sorbents were generated. The ditch line was thoroughly cleaned. Sorbent boom was still in the ditch line. Weather forecasts indicated more rain. The property owner (Dan Kellum) refused to accept responsibility and refused to assist, claiming the flood caused the release. FOSC departed later in the afternoon after he felt comfortable that no further cleanup action was necessary.

IV. Future Actions

Transportation and disposal of eight oily contaminated waste in 55 gallon drums.

V. Cost To Date

FPN E03417 Ceiling:	\$15,000.00
NTP Ceiling:	\$5,000.00
CCI costs to date:	\$4,400.00
EPA costs:	\$400.00
Total spent:	\$4,800.00

FINAL POLREP
U.S. Environmental Protection Agency
Region 4

Date: October 1, 2003

Subject: Kellum Properties Oil Spill
Cape Construction Company
301 Railroad St.
Rockwell, NC 28138

From: Charles E. Fitzsimmons, FOOSC
4930 Old Page Rd.
RTP, NC 27709

To: S. Hitchcock, EPA Region 4
D. Rigger, EPA Region 4
T. Moore, EPA Region 4
D. Thornton, EPA-HQ
NC distribution

I. Background

Site ID#: Z4FN
FPN#: E03417
Incident Report#: 654135
Project Ceiling: \$15,000
Lead Agency: EPA Region 4 - ERRB
NPL: N
Funding: OPA
Lead OSC: Charles E. Fitzsimmons

II. Situation

Date of Notification: 08-16-03
Date Action Started: 08-16-03
Date Action Ended: 08-18-03
Pollutant: waste oil
Quantity Discharged: est. <100 gallons
Substantial Threat: minor
Surface Water: unnamed tributary to Dutch Creek
Source Identification: waste oil

III. Actions Taken

Refer to previous polreps.

IV. Future Actions

None required.

NCDENR has initiated enforcement action against responsible party. By letter dated August 21, 2003, DENR-DWQ has requested the proper disposal of the eight drums containing sorbents and contaminated soils. DWQ also provided four local disposal facilities which can dispose of this oil soaked debris. Therefore no further action is required by EPA under this FPN.

V. Cost To Date

FPN E03417 Ceiling:	\$15,000.00
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NTP Ceiling:	\$5,000.00
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CCI costs to date:	\$4,400.00
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EPA costs:	\$400.00
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Total spent:	\$4,800.00
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